THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.24758 of 2006

Dated: 29-11-2006

Between:

Kandikatla Jayalaxmi.

..... PETITIONER

AND

The District Collector, Kakinada, and others.

.....RESPONDENTS

THE HON'BLE SRI JUSTICE V.V.S. RAO

WRIT PETITION No.24758 of 2006

ORDER:

The petitioner's husband allegedly died due to electrocution on 21-07-2002 when he accidentally touched 11 K.V. conductor wire. A case of unnatural death under Section 174 of the Criminal Procedure Code, 1973 (Cr.P.C.) was registered by the Station House Officer, Razole Police Station, on 21-07-2002 itself. The petitioner filed the present writ petition after lapse of four years claiming the insurance amount as per the Government of Andhra Pradesh scheme known as "Apathbandhu Accident Insurance Scheme". In addition, she also claims *ex gratia* amount, which is paid by respondent No.3 in such cases. The Memorandum of Understanding (MOU) between the Government of Andhra Pradesh and the New Indian Assurance Company Limited (Insurance Company) entered into sometime in October, 2000, is annexed to the writ petition. MOU communicated by the Government of Andhra Pradesh vide Memo No.40477/Relief.I(1)/2000-1 dated 19-10-2000 would show that all the Collectors should follow the guidelines in MOU for the policy year 2000-2001. As per clause 4 of MOU, the insurance scheme -"Apathbandhu Accident Insurance Scheme" shall be in force for the period of one year and shall be valid from 02-10-2000 to 01-10-2001. Therefore, *ex facie* the petitioner cannot claim any benefit under the said Scheme. Insofar as the grant of *ex gratia* is concerned, considering the representation of the petitioner, respondent No.1 addressed respondent No.4 a letter vide Ref.B3/4472/2001 dated 30-01-2003 requesting to provide financial assistance to the petitioner. Therefore, respondent No.3 may consider the same and sanction the amount as per the eligibility, if there is any *ex gratia* scheme in force. Except making this observation, no relief can be granted in the writ petition.

The writ petition, with the above observations, is accordingly dismissed. No costs.

_____

(**V.V.S.RAO, J**)

29th November, 2006

ghn